

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BOARD OF TRUSTEES OF THE AFTRA RETIREMENT FUND, in its capacity as a fiduciary of the AFTRA Retirement Fund, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

BOARD OF TRUSTEES OF THE IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM, in its capacity as a fiduciary of the Imperial County Employees' Retirement System, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

THE INVESTMENT COMMITTEE OF THE MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY PENSION PLAN, in its capacity as a fiduciary of the MaBSTOA Pension Plan, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Consolidated as
No. 09-cv-00686 (SAS) (DF)
ECF Case

PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES AND CASE CONTRIBUTION AWARD TO NAMED PLAINTIFFS

The Board of Trustees of the AFTRA Retirement Fund (“AFTRA”), the Board of Trustees of the Imperial County Employees’ Retirement System (“ICERS”), and the Investment Committee of the Manhattan and Bronx Surface Transit Operating Authority Pension Plan (“MaBSTOA”), in their respective capacities as fiduciaries of the AFTRA Retirement Fund, the Imperial County Employees’ Retirement System and the MaBSTOA Pension Plan (collectively, the “Named Plaintiffs” or “Plaintiffs”), respectfully move this Court for an Order:

1. Granting Plaintiffs’ Counsel’s request for an award of attorneys’ fees in the amount of \$37.5 million or twenty-five percent (25%) of the Settlement Fund;¹
2. Reimbursement of expenses incurred by Plaintiffs’ Counsel in the amount of \$1,794,985.19; and
3. Case Contribution Awards to the Court-appointed Named Plaintiffs in the amount of \$50,000 each.

WHEREFORE, Plaintiffs’ Counsel respectfully request that the Court grant Plaintiffs’ Motion for Award of Attorneys’ Fees, Reimbursement of Expenses and Case Contribution Awards to Named Plaintiffs, and such other relief as the Court deems appropriate.

¹ All capitalized, undefined terms used herein shall have the meaning ascribed to them in the Stipulation of Settlement, attached as Exhibit 1 to the Declaration of Peter H. LeVan, Jr., filed in support of Plaintiffs’ Motion for Final Approval.

Dated: May 7, 2012

Respectfully submitted,

**KESSLER TOPAZ
MELTZER & CHECK, LLP**

/s/ Peter H. LeVan, Jr.

Joseph H. Meltzer
Peter H. LeVan, Jr.
Shannon O. Braden
280 King of Prussia Road
Radnor, PA 19087
(610) 667-7706

Lead Class Counsel

Of Counsel:

DEALY & SILBERSTEIN, LLP
Milo Silberstein
225 Broadway, Suite 1405
New York, NY 10007

NIX PATTERSON & ROACH, LLP
Bradley E. Beckworth
Jeff Angelovich
Brad Seidel
205 Linda Drive
Daingerfield, TX 75638

BERNSTEIN, LITOWITZ, BERGER & GROSSMAN, LLP
David L. Wales
1285 Avenue of the Americas
New York, NY 10019-6028

WOLF HALDENSTEIN ADLER FREEMAN HERZ, LLP
Gregory Mark Nespole
270 Madison Avenue
New York, New York 10016